

Underground Coal Mining Permits

NEWSPAPER PUBLICATION AND NOTIFICATION FOR PROPOSED *UNDERGROUND* COAL MINING PERMIT REVISION

Chapter 13, Section 3 (a) - Single Publication

Upon notification by the Land Quality Division the applicant shall commence the following:

1. A copy of the application needs to be filed with the Office of the County Clerk in the counties in which the proposed permit area is located no later than the first day of publication. **THIS COPY SHOULD BE REMOVED FROM THE COUNTY CLERK'S OFFICE AFTER PERMIT APPROVAL. Immediately following filing, submit an affidavit of filing from the Office of the County Clerk to the Land Quality Division.**
2. Publish a notice in a newspaper of general circulation in the locality of the proposed operation once a week for four (4) consecutive weeks (see sample format below) and if necessary, provide in the notice the information required by Chapter 13, Section 3(a); provide a detailed description for any public road within 100' of the permit area or any road that will be relocated as a result of the revision.
3. Mail within five (5) days after the first publication as required in W.S. §35-11-406(j), (as amended in 1995), a copy of the application mine plan map to the Wyoming Oil and Gas Conservation Commission, PO Box 2640, Casper, WY 82602 or 2211 King Blvd, Casper, WY 82604.
4. If this proposed revision increases the extent of underground mining activities beyond that projected under the currently approved term of permit, then those owners or occupants of surface property or structures existing above the underground workings must receive a copy of the public notice. (Chapter 7, Section 3).
5. On completion of publication, submit a sworn affidavit from the newspaper and a copy of the notice to the Land Quality Division.
6. As soon as possible and several weeks before the end of the public comment period, submit a sworn statement of mailing to the Land Quality Division. Please use the sample affidavit of mailing which is attached.

SINGLE PUBLICATION
SAMPLE FORMAT FOR UNDERGROUND COAL MINE PERMIT REVISIONS

Public Notice

The (Company Name) of (Main Company Location) has applied for a revision of its coal mining permit (include permit no. and original date of approval) from the Land Quality Division of the Environmental Quality Department for the State of Wyoming. The underground mining permit area is located in: (legal description of permit area - Section, Township, Range, County Name) County, Wyoming. (The area is) approximately (Locate the area relative to the closest town and a natural landmark, i.e.: a water source or a physical attribute of the area - ex: road, cliff, mountain, canyon, gorge, desert, etc.). This area can be found on the _____ USGS quadrangle map(s). The mining operation began (month and year) and is estimated to continue until (year). The land, after mining, will be returned to a (proposed use). (Provide a general description of the revision. If this revision proposes an increase in the extent of mining, include the following information): {subsidence from underground mining is (is not) anticipated to occur (by year) (and state whether any specific structures may be affected by this subsidence). (Describe the measures proposed to prevent or control adverse surface effects)}. Information regarding the proposed revision may be reviewed in the Office of the Land Quality Division, Department of Environmental Quality in Cheyenne and (Lander or Sheridan, Wyoming) or the (County Name) County Clerk's Office _____, Wyoming. A complete index sheet identifying all proposed changes is located in (direct the reader to the appropriate volumes containing the index sheets) included with the revision application available for public viewing. Written objections to the revision must be received by the Administrator of the Land Quality Division, Department of Environmental Quality, 200 W. 17th Street, Suite 10, Cheyenne, WY 82002, before (Date 30 days after last publication). Only the revision is open for public review. The Director may hold an informal conference if requested, hear the complaint and take action on the application in accordance with the Department's Rules of Practice and Procedure. The complainants shall have a right of appeal to the Environmental Quality Council where the complaint will be heard a second time. A conference shall be held if the Director determines that the nature of the complaint or the position of the complainants indicates that an attempt to informally resolve the disputes is preferable to a contested case proceeding. An informal conference or a public hearing shall be held within twenty (20) days after the final date for filing objections unless a different period is stipulated to by the parties. The Council or Director shall publish notice of the time, date and location of the hearing or conference in a newspaper of general circulation in the locality of the proposed operation once a week for two (2) consecutive weeks immediately prior to the hearing or conference. The hearing would be conducted as a contested case in accordance with the Wyoming Administrative Procedure Act (W.S. §16-3-101 through §16-3-115), and the right of judicial review shall be afforded as provided in that act. (If this revision proposes an increase in the extent of mining greater than that proposed in the currently approved permit term, include the following statement.) In addition, any owners and occupants of surface property or structures above the mine workings will be mailed a copy of the notice as required by Chapter 7, Section 3, of the Land Quality Division Coal Rules and Regulations. The Wyoming Oil and Gas Conservation Commission will be mailed a copy of the application mine plan map as required in W.S. §35-11-406(j).

BEFORE THE DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND QUALITY DIVISION

IN THE MATTER OF THE (TYPE OF PERMIT))
PERMIT APPLICATION OF (ENTITY),)
TFN _____)

**AFFIDAVIT OF (NAME OF AFFIANT)
OF NOTICE**

I, (NAME), after being duly sworn upon my oath, deposes and states as follows:

1. I am appointed to the office of (POSITION), for (COMPANY). I am submitting this affidavit to comply with the sworn statement requirement in W.S. §35-11-406(j). In my capacity as (POSITION), I am responsible for ensuring that (COMPANY NAME) has complied with the notice requirements in W.S. §35-11-406(j) and Chapter 7, Section 3, of the Land Quality Division Coal Rules and Regulations for the above-captioned permit application. This application is for a major revision of an underground coal mine permit.
2. On (DATE), (COMPANY NAME) received notice from the Department of Environmental Quality, Land Quality Division that it has determined our application is complete and suitable for publication.
3. On (DATE), (NAME OF NEWSPAPER) printed the first notice in the required four week sequence for publication of this application. On (DATE), (COMPANY NAME), as required by Chapter 7, Section 3, of the Land Quality Division Coal Rules and Regulations, mailed (did not mail) a copy of the notice to all owners or occupants of surface property or structures existing above the underground workings because this application proposes (does not propose) to increase to extent of underground mining activities beyond that projected under the currently approved term of permit. On (DATE), (COMPANY NAME) mailed a copy of the application mining plan map to the Wyoming Oil and Gas Conservation Commission.

DATED _____

Signature

(Type Name and Title Here)

STATE OF WYOMING)
)ss
COUNTY OF _____)

Subscribed, sworn to and acknowledged before me by _____
_____ on this _____ day of _____, 20____.

Notary Public

My Commission expires: _____